

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

**CIVIL JURY AND NON-JURY  
PRETRIAL CONFERENCE CALENDAR**

The following cases in the Southern Division of this District are set for **TRIAL** and will be heard during a civil calendar beginning **MONDAY , January 14, 2013,** at the United States Courthouse, Courtroom 806, 2012 15th Street, Gulfport, Mississippi, Judge Louis Guirola, Jr., presiding. **THERE WILL BE NO CALL OF THE CALENDAR ON THE FIRST DAY OF TRIAL.**

**PRETRIAL CONFERENCES** are ordered in these cases on **December 20, 2012, as per the attached schedule** before United States District Judge Louis Guirola, Jr., at Suite 814, United States Courthouse, 2012 15th Street, Gulfport, MS.

**I. PRETRIAL CONFERENCE**

If settlement is to be discussed in jury cases, counsel are instructed to confer with their clients in advance of the Pretrial Conference and to have their clients, corporate representatives and/or adjusters present or available by telephone at the appointed time. In cases where settlement discussions are contemplated, a memorandum (3 page maximum) setting forth a brief explanation of the case and a candid appraisal of the respective positions, including possible settlement figures, should be forwarded to the court at 2012 15th Street, Suite 814, Gulfport, MS 39501, or by e-mail to chambers, to be received no later than three (3) business days prior to the pretrial conference. This document is not to be exchanged and will be viewed only by the Court. The memorandum will not become a part of the Court file and will be destroyed upon the exhaustion of settlement negotiations. **Do not submit settlement memoranda in non-jury cases.**

In preparing for the Pretrial Conference, please refer to Local Rule 16(j) governing Pretrial Orders and the official form for all pretrial orders. **EXCEPTIONS** to this rule are (1) the requirement of the Magistrate Judge's signature appearing on the Pretrial Order is waived and (2) the Pretrial Order is to be submitted to Judge Guirola at the Pretrial Conference.

**II. JURY INSTRUCTIONS**

Please refer to Local Rule 51 regarding jury instructions.

### **III. NON-JURY CASES**

Original and one (1) copy of Proposed Findings of Fact and Conclusions of Law must be submitted to the Court ten (10) business days prior to trial and copies exchanged between counsel.

### **IV. DEPOSITIONS**

In all cases, depositions to be introduced at trial, other than for rebuttal or impeachment purposes, shall be abridged and submitted to Judge Guirola at the Pretrial Conference, in accordance with Rule 16(j)(5)(A), (B), and (C), which requires the designation and marking of the portions of the deposition to be offered and to which there are objections. Specific objections to deposition testimony shall be included in the Pretrial Order and will be considered by the Court at the Pretrial Conference. Objections not noted in the Pretrial Order are waived.

Video depositions shall be edited prior to trial as stated in Rule 16(j)(5)(D). Specific objections to portions of video depositions shall be noted in the Pretrial Order, and written transcripts of those portions to which there are objections will be considered by the Court at the Pretrial Conference. Objections not noted in the Pretrial Order are waived.

### **V. IN LIMINE MOTIONS**

Please refer to Local Rule 7(b)(2)(D) regarding in limine motions. **Absent good cause, untimely motions in limine will be summarily denied.**

### **VI. EXHIBITS AND WITNESS LISTS**

Prior to trial, exhibits are to be premarked, and a list briefly describing each is to be presented to the courtroom deputy clerk (original and one copy of the *exhibits*, original and four copies of the *exhibit list*) at the beginning of trial. (A sample of the exhibit list is enclosed.)

In accordance with Rule 16(j)(2)(G) the pretrial order shall identify exhibits to which there are objections and state precisely the ground for the objection.

Original and four (4) copies of list of proposed witnesses should be presented to the courtroom deputy clerk at the beginning of trial.

### **VII. CONFLICTS**

Counsel are reminded that only conflicts listed in the Case Management Plan Order will be honored during this trial calendar. Any subsequent conflicts not so listed will be considered when scheduling the exact dates of trial, but not necessarily honored.

Should a party or the attorney for said party fail to appear or to follow the directions set out herein, an ex parte hearing may be held and a judgment of dismissal or default or other appropriate judgment entered or sanctions imposed.

**VIII. ADVISORY FOR LIMITING PERSONAL INFORMATION IN TRANSCRIPTS**

The judiciary's privacy policy restricts the publication of certain personal data in documents filed with the court. The policy requires limiting Social Security and financial account numbers to the last four digits, using only initials for the names of minor children, and limiting dates of birth to the year. [For criminal cases, also limit home addresses to city and state.] However, if such information is elicited during testimony or other court proceedings, it will become available to the public when the official transcript is filed at the courthouse unless, and until, it is redacted. The better practice is for trial lawyers to avoid introducing this information into the record in trial. Please take this restriction into account when questioning witnesses or making other statements in court. If a restricted item is mentioned in court, the attorney may ask to have it stricken from the record or partially redacted to conform to the privacy policy, or the court may elect to do so on its own motion.

Date: November 21, 2012

*s/ Louis Guirola, Jr.* \_\_\_\_\_

LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

PLAINTIFF(S)  
VERSUS CIVIL ACTION NO. \*  
DEFENDANT(S)

PLAINTIFF'S EXHIBIT LIST  
(or DEFENDANT'S EXHIBIT LIST)

<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>SPONSOR</u>	<u>ID</u>	<u>EVIDENCE</u>
P-2 (or D-1)	Briefly describe each exhibit, leaving sponsor, evidence and ID columns <b>blank</b>	(Leave these columns blank, to be completed by court when exhibits are entered)		
P-2 (or D-2)	Double space between exhibits			

THIS INSTRUMENT IS AN EXAMPLE ONLY.  
DO NOT USE FOR YOUR EXHIBIT LIST.

**PRETRIAL CONFERENCES  
BEFORE JUDGE LOUIS GUIROLA, JR.**

<u>Cause No.</u>	<u>Style</u>	<u>Jury Status</u>	<u>Time</u>
***** Thursday, December 20, 2012 *****			
1:11cv83-LG-RHW	Hart v. Howard, et al.	J	10:30
1:11cv324-LG-JMR	Alexander v. BP, PLC, et al.	J	1:30
1:11cv393-LG-JMR	Garziano, et al. v. Louisiana	J	2:30
1:12cv90-LG-JMR	Trout Point Lodge, Ltd., et al. v. Handshoe	J	3:30